

## **REMARKS**

The Examiner has noted that the certified copy of the priority for the application has not yet been filed. Enclosed herewith is a certified copy of the Swedish Patent Application Number 01100857-2.

Claim 1 has been rejected under 35 U.S.C. §112, second paragraph. The claim has been amended to obviate the Examiner's rejection.

Claims 1 and 5 have been rejected under 35 U.S.C. §102(e) as being anticipated by Ahlem et al., U.S. Patent No. 6,667,299.

The Examiner's rejection is respectfully traversed.

The Applicants' invention as now claimed is directed to a steroid derivative selected from the group of compounds defined by formula 1 or 2. On the other hand, Ahlem et al.'299 relates to steroid derivatives having a radical in the 16-position, in particular being a 16-bromo derivative. Upon studying Ahlem et al.'299 it is noted that there is a total failure of reporting any physical data for the compounds mentioned in claim except for BrEA-the 16-bromo derivative. The compound disclosed in the patent as related to the BrEA, is a hemihydrate of a known compound. This reference has no relevance to the novelty of the Applicants' invention, as no physical evidence or other data indicates the existence of these compounds. Additionally, there is no disclosure whatsoever of the compounds of the present invention, in particular as the cited patent discloses derivatives in the 16-position while the present application has no disclosure whatsoever of derivatives in the 16-position. Thus, as the present invention does not include a derivative of the 16-position, claims 1 and 5 are not anticipated by Ahlem et al., U.S. Patent No. 667, 299.

In view of the foregoing, it is believed that the amended claims and the claims dependent there from are in proper form. The Applicants respectfully contend that the teachings of Ahlem et al., U.S. Patent No. 667, 299 do not render the Applicants' invention as anticipated.

Thus, Claims 1, 5 and 29-42 are considered to be patentably distinguishable over the prior art of record.

The application is now considered to be in condition for allowance, and an early indication of same is earnestly solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Arlene J. Powers', is written over a horizontal line.

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